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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/038,157	01/03/2002	Robert P. Carlstedt	60,130-1023; 01MRA0134	60,130-1023; 01MRA0134 7799	
26096	7590 03/09/2005		EXAM	EXAMINER	
CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD			CHILCOT, R	CHILCOT, RICHARD E	
SUITE 350	MAILE ROAD		ART UNIT	PAPER NUMBER	
BIRMINGH	AM, MI 48009		3627		
			DATE MAILED: 03/09/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)	N			
Office Action Summary		10/038,157	CARLSTEDT ET AL.				
		Examiner	Art Unit				
		Richard E. Chilcot, Jr.	3627				
Period fo	 The MAILING DATE of this communication apport Reply 	pears on the cover sheet with the o	correspondence addre	PSS			
THE - Exte after - If the - If NO - Failt Any	ORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. In period for reply specified above is less than thirty (30) days, a repl period for reply is specified above, the maximum statutory period are to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing led patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be tilly within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	mely filed ys will be considered timely. the mailing date of this comm ED (35 U.S.C. § 133).	nunication.			
Status							
1)🛛	Responsive to communication(s) filed on 22 D	December 2004.					
2a) <u></u>	This action is FINAL . 2b)⊠ This	s action is non-final.					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposit	ion of Claims						
4)⊠	Claim(s) <u>1-17</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)[Claim(s) is/are allowed.						
6)⊠	Claim(s) <u>1-17</u> is/are rejected.						
7)	Claim(s) is/are objected to.						
8)[Claim(s) are subject to restriction and/or election requirement.						
Applicat	ion Papers						
9)[]	The specification is objected to by the Examine	er.					
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)	The oath or declaration is objected to by the E	xaminer. Note the attached Office	Action or form PTO-	·152.			
Priority	under 35 U.S.C. § 119						
a)	Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Burea See the attached detailed Office action for a list	ts have been received. ts have been received in Applicat prity documents have been receiv nu (PCT Rule 17.2(a)).	tion No red in this National Sta	age			
Attachmer	• •	n □	(DTO 445)				
	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summan Paper No(s)/Mail D					
3) Infor	mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08 er No(s)/Mail Date		Patent Application (PTO-1	52)			

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DETAILED ACTION

Applicant's arguments, see the Appeal Brief, filed December 22, 2004, with respect to the rejection(s)of claim(s) 1-17 under 35 U.S.C. § 103 as being unpatentable over Johnson (5,493,490), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kijima et al. (6,230,084).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kijima et al.

Kijima et al. teach a vehicle having a plurality of available suspension options, comprising: a communication providing information (fig. 4); module that facilitates a vehicle seller obtaining information (from paragraph 139 "the characteristic information is formed in a separate device and transferred to the object vehicle. According to this embodiment, when a driver bought a new vehicle (object vehicle), the driver receives a characteristic information forming device 240, instruction book 261, data entry item list 262 and IC card 260 for writing therein the data from the characteristic information forming device 240. The driver enters characteristic information relating to driver (sex, age, driving experience and the like), vehicle performance (drivability, riding comfort, fuel consumption efficiency), use condition (use circumstances and the like) in accordance with data list 262. Then, the characteristic information is transferred to the

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IC card 260" and a data module that is accessible using the communications module, the data module providing information regarding the plurality of suspension options available; and an adjustable suspension module (via switch 95) supported on a demonstration vehicle that is adjustable to perform as the available suspension options such that a customer is permitted to sample the various suspension options using the demonstration vehicle.

It is noted Kijima et al. teach all the elements of the claimed with the exception of teaching the method for selling a vehicle with multiple suspension options. However, it has been a well-established practice for car dealerships to use demonstration vehicles to promote sales of a particular vehicle. It is also noted that claim 1 of Kijima et al. suggest that the invention described therein is for the sale of a vehicle. Accordingly, to employ the demonstration vehicle of Kijima et al. in a method for selling a vehicle having multiple suspension options would have been obvious for one having ordinary skill in the art at the time of the invention. The advantage for such a modification would have been to change the vehicle characteristic of the object vehicle to meet the driver's taste and to promote sales of a particular vehicle.

Response to Arguments

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Young, note a vehicle suspensions system which can be altered by the driver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard E. Chilcot, Jr. whose telephone number is 703-305-4716. The examiner can normally be reached on 5/4/9 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Richard E. Chilcot, Jr. Primary Examiner

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